



Re: Fw: Request for Immediate Action on Lake Source Cooling and Southern Cayuga Lake

Jeff Gratz to: Walter Hang

06/18/2012 03:03 PM

Cc: Chris Amato, "dhill@hetf.org", "Joe Heath, Esq", Joan Matthews, John Filippelli, Barbara Lifton, Pamela Mackesey, Rich DePaolo

Walter - Either time is fine. So take your pick and let me know. I'll then follow-up with room # information.

thanks - Jeff

Walter Hang

Greetings: Thank you very much for getting back...

06/18/2012 12:27:12 PM

From: Walter Hang <walter@toxicstargeting.com>
To: Jeff Gratz/R2/USEPA/US@EPA
Cc: Chris Amato <camato@sprlaw.com>, "dhill@hetf.org" <dhill@hetf.org>, "Joe Heath, Esq" <jheath@atsny.com>, Joan Matthews/R2/USEPA/US@EPA, John Filippelli/R2/USEPA/US@EPA, Barbara Lifton <liftonb@assembly.state.ny.us>, Pamela Mackesey <pmackesey@gmail.com>, Rich DePaolo <RDePaolo@town.ithaca.ny.us>
Date: 06/18/2012 12:27 PM
Subject: Re: Fw: Request for Immediate Action on Lake Source Cooling and Southern Cayuga Lake

Greetings:

Thank you very much for getting back to me. The afternoon of July 11th is great. How is 1:00 PM or 2:00 PM? Otherwise, pick a time.

We look forward to meeting with you shortly.

Best regards,

Walter

On 6/13/2012 8:51 AM, Jeff Gratz wrote:

All - The EPA team is available late morning on Tuesday, July 10 or the afternoon of Wednesday, July 11. Let me know what works for you.

thanks.

- Jeff

From: Chris Amato <camato@sprlaw.com>

To: Walter Hang <walter@toxicstargeting.com>, "Joe Heath, Esq" <jheath@atsny.com>

Cc: Jeff Gratz/R2/USEPA/US@EPA, John Filippelli/R2/USEPA/US@EPA, Joan Matthews/R2/USEPA/US@EPA,

Rich DePaolo <RDePaolo@town.ithaca.ny.us>, Barbara Lifton <liftonb@assembly.state.ny.us>, Pamela Mackesey <pmackesey@gmail.com>, "dhill@hetf.org" <dhill@hetf.org>

Date: 06/07/2012 02:22 PM

Subject: RE: Fw: Request for Immediate Action on Lake Source Cooling and Southern Cayuga Lake

That fine with me. I will be unavailable the week of first week of July.

Christopher A. Amato
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90 State Street, Suite 700
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camato@sprlaw.com

From: Walter Hang [<mailto:walter@toxicstargeting.com>]

Sent: Thursday, June 07, 2012 2:06 PM

To: Joe Heath, Esq

Cc: Jeff Gratz; John Filippelli; Joan Matthews; Chris Amato; Rich DePaolo; Barbara Lifton; Pamela Mackesey; dhill@hetf.org

Subject: Re: Fw: Request for Immediate Action on Lake Source Cooling and Southern Cayuga Lake

I suggest that Joe, John and Jeff confer and offer dates and times when they are all available in the near-term. I will work around those available times.

Is that acceptable? If not, I am open to suggestion.

Thank you.

Walter

On 6/7/2012 1:42 PM, Joe Heath, Esq wrote:

Thanks Walter, I would suggest that the last week of June is not good, I know that John Filippelli and I will be at an EPA/Haudenosaunee leadership meeting for several days that week, in Salamanca, NY. Dan Hill also has to attend that meeting.

Joe

----- Original Message -----



Re: Fw: Request for Immediate Action on Lake Source Cooling and Southern Cayuga Lake
Joe Heath, Esq

to:

Walter Hang, Jeff Gratz

06/07/2012 01:39 PM

Cc:

John Filippelli, Joan Matthews, camato, "Rich DePaolo", "Barbara Lifton", "Pamela Mackesey", dhill

Hide Details

From: "Joe Heath, Esq" <jheath@atsny.com> Sort List...

To: "Walter Hang" <walter@toxicstargeting.com>, Jeff Gratz/R2/USEPA/US@EPA,

Cc: John Filippelli/R2/USEPA/US@EPA, Joan Matthews/R2/USEPA/US@EPA, <camato@sprlaw.com>, "Rich DePaolo" <RDePaolo@town.ithaca.ny.us>, "Barbara Lifton" <liftonb@assembly.state.ny.us>, "Pamela Mackesey" <pmackesey@gmail.com>, <dhill@hetf.org>

Thanks Walter, I would suggest that the last week of June is not good, I know that John Filippelli and I will be at an EPA/Haudenosaunee leadership meeting for several days that week, in Salamanca, NY. Dan Hill also has to attend that meeting.

Joe

----- Original Message -----

From: Walter Hang

To: Jeff Gratz

Cc: John Filippelli ; Joan Matthews ; Joe Heath, Esq. ; camato@sprlaw.com ; Rich DePaolo ; Barbara Lifton ; Pamela Mackesey

Sent: Thursday, June 07, 2012 1:26 PM

Subject: Re: Fw: Request for Immediate Action on Lake Source Cooling and Southern Cayuga Lake

Thank you for getting back to me. The last week in June is fine. The sooner, the better. If you give me a couple of times when you are all available, I will let you know shortly.

I look forward to meeting with you.

Best,

Walter

On 6/6/2012 4:47 PM, Jeff Gratz wrote:

Hi Walter - John asked that I get back to you regarding your request to get together for a meeting. We can get together either via conference call or in person, if you're interested in coming down to our Region 2 office. Please provide me with a few dates/times that work for you. At this point, to optimize the chances of us getting all the right people together, I recommend that we shoot for the last week in June or some time in July.

thanks.

- Jeff

Jeffrey Gratz

Chief, Clean Water Regulatory Branch

Division of Environmental Planning and Protection
US Environmental Protection Agency, Region 2
(212) 637-3873
gratz.jeff@epa.gov

From: Walter Hang [walter@toxicstargeting.com]
Sent: 05/16/2012 11:05 AM AST
To: John Filippelli
Subject: Re: Request for Immediate Action on Lake Source Cooling and Southern Cayuga Lake

Greetings:

I never heard back from your colleagues. I am checking in.

Best,

Walter Hang

On 4/27/2012 12:44 PM, Walter Hang wrote:
Thank you very much for taking the time to speak with me today. I appreciate very much your willingness to arrange a meeting on this matter. I look forward to hearing from you or your colleagues.

I have attached a photo of my meeting with Administrator Jackson.

Thank you, again.

Best regards,

Walter

On 4/24/2012 5:41 PM, John Filippelli wrote:
Dear Mr. Hang:

Thank you for your April 5, 2012 email to Lisa Jackson, Administrator of the U.S. Environmental Protection Agency which has been forwarded to me for reply. I share your concerns about the water quality of Southern Cayuga Lake. Your email raised a number of important issues regarding Southern Cayuga Lake impairments, the development of a Total Maximum Daily Load (TMDL), and New York State Pollutant Discharge Elimination System (SPDES) permitting for the Cornell University Lake Source Cooling effluent discharge. As you know, the New York State Department of Environmental Conservation is the lead agency for these actions and the EPA Region 2 has an oversight role.

The current SPDES permit for Cornell University's Lake Source Cooling discharge expired in March 2008; however, the conditions of their existing permit are administratively extended until a new permit is reissued. During a recent conversation with NYSDEC, staff expressed to us that the renewal of the Lake Source Cooling discharge permit is a high priority and NYSDEC expects to release a draft permit within a short time frame. It is our understanding that the NYSDEC and Cornell have had discussions regarding draft permit conditions to address the treatment of cooling water and phosphorous in the next renewal, and that NYSDEC is currently considering a range of options, including all of the options that you suggested (e.g. a closed-loop system). When the draft permit is available, consistent with the EPA's oversight role, we will review the permit conditions to ensure consistency with federal regulations and guidance.

NYSDEC has not yet begun development of a TMDL for phosphorous for Cayuga Lake. However, the requirements for advanced phosphorous removal treatment at the Ithaca Sewage Treatment Plant and the improvements at the Cayuga Heights Plant have achieved significant reductions in phosphorous loading to the lake. Nonetheless, NYSDEC considers this TMDL a high priority. The collection and analysis of quality data, which are representative of the point and nonpoint source contributions and are necessary to support the establishment of a TMDL, have been delayed but are expected to begin shortly. However, the data collection and evaluation, and modeling needed to support the establishment of this complex TMDL cannot be completed in one year as suggested in your email. The EPA expects NYSDEC to provide a schedule to complete this TMDL at the time it issues the draft permit.

NYSDEC intends to work with Cornell University to collect the data necessary to establish a nutrient TMDL in Cayuga Lake. This approach, of working with the permittee who provides much needed financial, technical and modeling support, has been used successfully by NYSDEC and the EPA in a number of TMDL initiatives, most notably in the NY/NJ Harbor. Having permittees involved from the beginning should result in the quicker acceptance and implementation of the final TMDL. In the end, however, it is NYSDEC, not Cornell University who will establish the TMDL.

In summary, NYSDEC considers the Cayuga Lake a high priority and is working towards the issuance of a permit and the establishment of a TMDL. The EPA expects NYSDEC, in the near future, to issue a draft permit and provide a schedule for the establishment of a TMDL. The EPA is committed to review the permit conditions to ensure consistency with federal regulations and guidance and provide NYSDEC technical, regulatory and policy support towards the timely establishment of this TMDL.

If you have further questions, please contact Felix Locicero, Acting Chief of the Clean Water Regulatory Branch at (212) 637-3775.

John Filippelli, Director
Division of Environmental Planning & Protection
EPA Region 2
212-637-3736

From: Walter Hang <walter@toxicstargeting.com>

To: LisaP Jackson/DC/USEPA/US@EPA

Cc: Judith Enck/R2/USEPA/US@EPA, Karen OBrien/R2/USEPA/US@EPA, "Joe Heath, Esq." <jheath@atsny.com>, Rich DePaolo <RDePaolo@town.ithaca.ny.us>, Barbara Lifton <liftob@assembly.state.ny.us>, Pamela Mackesey <pmackesey@gmail.com>, mayormyrick@cityofithaca.org, cbrock@cityofithaca.org, "J.R. Clairborne" (by way of Toxics Targeting Inc <info@toxicstargeting.com>)" <jclairbo@cityofithaca.org>, John Richard <jrichard@essential.org>, Ken Deschere <deschere@acm.org>, brbaker@gw.dec.state.ny.us, joemartens@gw.dec.state.ny.us, James Tierney <jtierney@gw.dec.state.ny.us>, "Estes, Bruce" <BESTES@gannett.com>, "Lawyer, Elizabeth" <elawyer@gannett.com>, "Stern, Rachel" <rstern@ithaca.gannett.com>, Philip Sweeney/R2/USEPA/US@EPA

Date: 04/05/2012 06:46 PM

Subject: Request for immediate action on Lake Source Cooling and Southern Cayuga Lake

April 5, 2012

Honorable Lisa P. Jackson
Administrator
U. S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW

Washington, DC 20460

Dear Administrator Jackson:

I trust that you have been well since we last communicated. Thank you for your continuing public service.

I write today regarding the urgent matter of water quality impairments in Southern Cayuga Lake. This long-standing regulatory problem has received extensive national attention and involves critically important environmental protection policy decisions.

I request that you take immediate action to address the concerns spelled out below. I trust that you will find my request self-explanatory, but please do not hesitate to contact me if I can answer any questions you might have about it. If appropriate, I would be pleased to meet with you.

Please note that several weeks ago I contacted your colleague in Region 2, Karen O'Brien. She was involved with this matter for many years before recently accepting a different assignment. She said she would check into it and get back to me. Since I never heard back, I called and left three messages. Given the time-sensitivity of this matter, I am now writing to you directly.

Southern Cayuga Lake Water Quality Impairments/Cornell University Lake Source Cooling Discharge Permit

As we discussed when I met with you and your colleagues, the southernmost 5,000 acres of Cayuga Lake are included in the national 303(d) registry of impaired waterbodies (Clean Water Act, 33 U. S. C. §1313) due to nutrient and turbidity problems. For decades, Southern Cayuga Lake has often been inundated with massive accumulations of algae and weeds due to phosphorus and turbidity concentrations that exceed applicable narrative water quality standards and guidance values.

That portion of Cayuga Lake is the receiving body of water for the Cornell University Lake Source Cooling effluent discharge. Your agency's Total Maximum Daily Load (TMDL) regulations regarding Section 303(d) prohibit the issuance of permits to "a new source or a new discharger, if the discharge from its construction or operation will cause or contribute to the violation of water quality standards." The Lake Source Cooling permitted discharge contravenes 40 C.F.R. §122.4(i) because its effluent discharge contributes Soluble Reactive Phosphorus (SRP) to the area of Cayuga Lake which exceeds that applicable water quality standard.

This concern was highlighted in an article that appeared in The New York Times: <http://www.nytimes.com/1999/03/27/nyregion/aid-environment-threat-lake-cornell-pursues-pumping-plan-but-critics-fear-fouled.html?scp=1&sq=andrew%20revkin%20fjordlike&st=cse&pagewanted=all>

Southern Cayuga Lake's compliance with the Clean Water Act has yet to be achieved. In 1999, EPA Region 2 proposed a landmark agreement to address

Southern Cayuga Lake's water quality impairments, but it was never implemented. EPA's proposed policy would have set a precedent that could have been replicated on a national basis.

Even though Southern Cayuga Lake was required to have a TMDL to address its water quality impairments as a "high priority" by 2004, no TMDL has been adopted.

Even though existing water quality problems are worse than ever, the Lake Source Cooling discharge permit was allowed to lapse and has not been renewed.

After dragging its feet for years, Cornell finally performed a Before-After-Control-Impact Study in order to assess the impact of the Lake Source Cooling effluent discharge on water quality in Cayuga Lake. The BACI analysis of Cornell's raw monitoring data documented an increase of more than 50% in chlorophyll a at Site 7 after the Lake Source Cooling Project began operation. Site 7 is the location with arguably the worst algae and weed hazards in Southern Cayuga Lake.

This algae and weed increase is plain to see from photos taken before and after Lake Source Cooling went on-line. Since 1998, the area of heavy algae and weed infestation spread south nearly 1,000 feet as well as thousands of feet west. See attached.

Please note that a 2010 thesis by Seth Avram Schweitzer (The effects of runoff and upwelling events on the water quality of the southern shelf of Cayuga Lake, Cornell University.) reported: "When the wind blows from the south for a duration greater than the lake's uninodal horizontal seiche period ($T/4$), the thermocline tilts up in the vicinity of the shelf. This leads to reduced exchange between the shelf and the main basin's epilimnion, resulting in higher nutrient levels near loading sources on the shelf."

This directly contradicts the fundamental assertion of the Lake Source Cooling Environmental Impact Statement that the facility's nutrient-loading contribution would migrate north due to the Coriolis effect. In short, the impact of Lake Source Cooling's effluent discharge on water quality could be greater than earlier determined.

Immediate Request for Regulatory Enforcement Action

It is entirely unacceptable that this regulatory matter has dragged on for approximately 14 years without being resolved in strict compliance with all applicable law. Frankly, Lake Source Cooling's improper discharge has been managed in a truly disgraceful manner that undermines public confidence in government's ability to safeguard the environment.

The BACI determination triggers a critical provision in the Lake Source Cooling discharge permit requiring Cornell to treat the effluent discharge to remove phosphorus or to move the discharge pipe "off the shelf" to send the untreated discharge down to the depths of the lake below the photic zone.

I write to request that you require EPA Region 2 to intervene immediately to enforce that permit provision and to take further action to clean up Southern Cayuga Lake.

First, I request that EPA require Lake Source Cooling's effluent discharge of SRP to be treated using Best Available Technology or moved "off the shelf."

Second, I request that EPA and DEC allow an alternative solution of converting the "once-through, non-contact" cooling water discharge to a "closed-loop" system that would eliminate any transfer of SRP from the bottom of Southern Cayuga Lake to shallower areas. I believe this would constitute an ideal resolution to the current Lake Source Cooling nutrient-loading problem.

Third, I request that EPA tolerate no further delay in issuing a renewal of the Lake Source Cooling discharge permit in order to implement the provisions referenced above.

Fourth, I request that EPA require a TMDL to be proposed and implemented within one year by the New York State Department of Environmental Conservation (DEC). Any further delay in this matter must not be tolerated.

Finally, I request that EPA reject any proposal that allows Cornell University to delay enforcement of its Lake Source Cooling permit or play any role in preparing a proposed TMDL. Either action would clearly conflict with the public interest.

Conclusion

In conclusion, Cornell University repeatedly tried to halt in-lake water quality monitoring in order to avoid documenting Lake Source Cooling's impact on Southern Cayuga Lake. It also offered to fund local groups if they supported ending in-lake water quality monitoring. This constitutes the worst kind of financial conflict of interest. Cornell also repeatedly tried to avoid undertaking a BACI study and tried to skew its findings in order to avoid eliminating Lake Source Cooling's impact on Southern Cayuga Lake.

EPA must put a halt to Cornell University's self-serving delay tactics.

EPA and DEC are under intense scrutiny with regard to their ability to regulate proposed shale gas extraction activities that threaten water resources. With all respect, if those agencies cannot resolve the long-standing pollution problems of one of America's most historic bodies of water, the public can have no confidence in government's ability to prevent shale gas hazards in New York's Marcellus Shale formation.

On a final note, Cornell and the groups it offered to fund have long denied the existence of algae and aquatic weed infestation problems in Southern Cayuga Lake. Ironically, those entities are now the most ardent advocates of applying herbicides to control the growth of Hydrilla that was recently identified in Cayuga Inlet.

If the nutrient loading concerns documented nearly 14 years ago in Southern

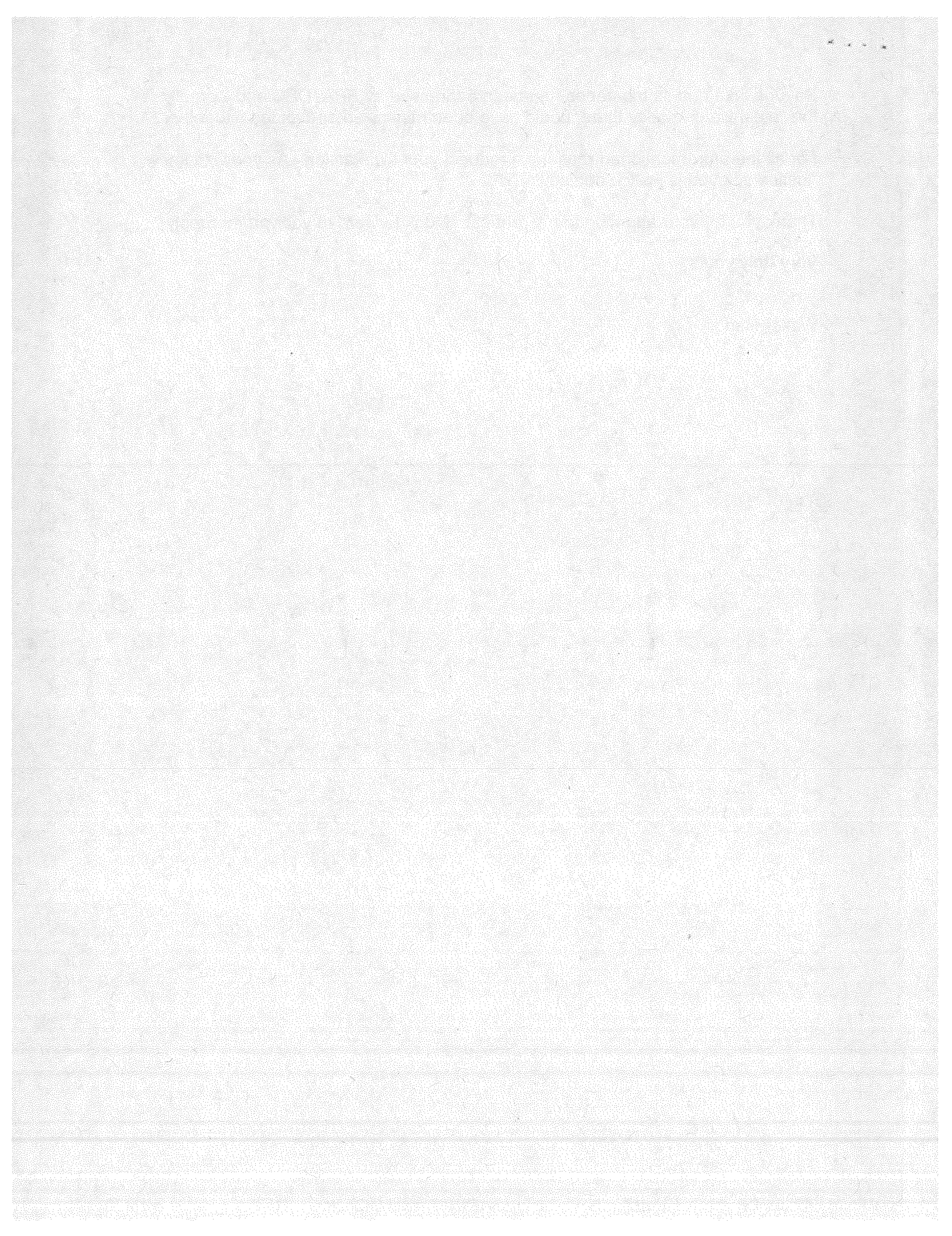
Cayuga lake and its tributaries had been addressed by EPA, DEC and Cornell, this latest water quality threat could have been minimized or avoided altogether.

For all the aforementioned reasons, I request your swift action. As you well know, "justice delayed is justice denied."

Thank you for your attention to my request. I look forward to your prompt reply.

Very truly yours,

Walter Hang



Position Description
Indigenous Environmental Affairs Coordinator
GS-13

INTRODUCTION

This position is located in the Office of Strategic Programs reporting directly to the Director.

Eight (8) Federally-recognized Indian Nations currently exist within the boundaries of EPA Region 2. EPA formally recognizes the governments of the nations that are acknowledged by the Bureau of Indian Affairs.

The Indigenous Environmental Affairs Coordinator (IEAC) has overall responsibility for the Region's Indian Program budget and serves as the Region's principal point of contact with the Cayuga Nation, Onondaga Nation, Seneca Nation of Indians, Tonawanda Band of Senecas, Tuscarora Nations and the Haudenosaunee Environmental Task Force. The Region 2 IEAC fosters effective interactions with the traditional Indian Nations and groups, in particular with the Haudenosaunee Environmental Task Force (HETF). The two work together as a team, ensuring that EPA's actions in dealing with the federally-recognized nations and with the traditionals complement one another. The IEAC is part of a two member Indian Program Team that also includes the Regional Indian Coordinator (RIC) who has responsibility for coordination of EPA Region 2 consultation with the 8 nations. The RIC also serves as Region 2's principal point of contact with the Saint Regis Mohawk Tribe (SMRT), the Oneida Indian Nation, and the Shinnecock Nation of Indians. The two work together as a team, ensuring that EPA's actions in dealing with the federally-recognized nations and with the traditionals complement one another.

MAJOR DUTIES AND RESPONSIBILITIES

1. Development, Implementation, and Evaluation of a Comprehensive Indigenous Environmental Program (60%)

- Provides expert advice and support to Indian Nations to ensure sound management of ecosystems and implementation of the Haudenosaunee Environmental Restoration Strategy.
- Collaborates in developing regional guidance and policies and participates in the development of national guidance and policy concerning indigenous environmental programs that address the concerns of traditional tribal members.
- Participates with management and the RIC in the development, implementation and evaluation of short-term and long-term plans to ensure that indigenous environmental issues are integrated and fully coordinated with the goals and objectives of the Region's programs.

- Conducts reviews of ongoing programs/initiatives and evaluates performance in relation to indigenous environmental program goals. Provides advice to program managers to increase understanding of indigenous environmental issues and of indigenous approaches to communications and problem solving, enhance ability to communicate with the Nations and facilitate access to decision making, programs, funding, technical assistance, and training . Attends meetings and conducts briefings to promote supervisory and management understanding of their responsibilities. Recommends necessary program adjustments, where feasible and/or appropriate.
- Serves as Region 2 EJ representative on national EPA Tribal and Indigenous Peoples Work Group.
- Reviews existing and proposed local, regional, national and international laws, policies and guidance relevant to the development and implementation of a comprehensive indigenous environmental program and makes recommendations to senior management.
- Negotiates environmental agreements between EPA Region 2 and the Haudenosaunee Environmental Task Force to ensure resources at all levels are deployed efficiently and effectively to meet environmental goals and objectives. Coordinates related activities with Region 2 offices both within and external OSP.
- Working with the Tribal Consultation Advisor conducts analyses to consolidate issuance and administration of grants to allow for flexibility in funding indigenous program development and operation. Identifies funding needs, assesses resource needs, recommends reallocation and participates in budget and long-range strategic planning development and recommendation approval process.
- Manages all budgeting and financial aspects Region 2 Indian Program, including grant and contract resources. As part of this responsibility, is identified by Headquarters as General Assistance Program (GAP) “power user” for purposes of managing all Region 2 GAP funds.
- Manages Indian Program Water Senior Environmental Employee (SEE), providing for direct technical assistance to all eight Region 2 Indian nations on Safe Drinking Water Act matters.
- Chairs Region 2 Indian Work Group (RIWG). RIWG includes representatives from all major Regional programs and assures that Region provides a comprehensive and coordinated response to all Indian program matters.
- Plans and coordinates delivery of Region 2’s Annual Indian Nations Leaders Meeting. The meeting is a key focal point for the Region and the Region’s 8 Indian Nations to address the technical and policy aspects of key environmental issues. In this capacity works closely with RA, DRA, Division Directors, Region 2 program managers, Indian nation leaders and technical staff.

- Manages Region 2 aspects of the Tribal Program Management System (TPMS), an EPA-wide strategic planning tool.
- Serves as Region's principal point of contact to the Cayuga Nation, Onondaga Nation, Seneca Nation of Indians, Tonawanda Band of Senecas, Tuscarora Nations and the HETF.

2. Consensus Building (25%)

- Utilizes Alternative Dispute Resolution (ADR) skills to facilitate a mutual understanding of differing perceptions of environmental problems and approaches, and facilitate resolution of disputes as they arise and foster concurrence through consensus-building.
- Communicates with a variety of constituents to identify traditional and non-traditional issues to ensure development of a comprehensive indigenous environmental program that upholds ecological, socio-economic, cultural and spiritual values, as well as community-based environmental management and environmental justice principles.

3. Educational Programs (15%)

- Designs, develops and conducts outreach, training, and educational programs to enhance understanding of indigenous issues, respect for indigenous knowledge of approaches to communications and problem-solving.

4. Performs other duties as assigned.

- Provides timely and accurate information to the Director concerning Indian program developments, needs, and issues. Information may be presented in verbal or written form as appropriate (e.g., weekly highlights are in written form).
- Serves as EPA project officer (PO) for various Indian program grants. Maintains up-to-date PO certification.
- Follows EPA administrative and programmatic procedures. Communicates at the appropriate level within the Region 2 organizational structure and chain of command.
- Follows appropriate Region 2 protocol for external communications.

POSITION FACTORS

Factor 1: Knowledge Required by the Position:

Level 1-8 (1550 Points)

Expert knowledge of environmental protection principles as well as program development, assessment, and operational techniques sufficient to formulate, develop and implement a comprehensive regional indigenous environmental program and to apply new developments, modifying program as necessary.

Expert knowledge of indigenous affairs, environmental justice and the interface of civil rights and environmental protection law and policy (including regulation and enforcement), sufficient to translate policy issues into useable policy guidance and make recommendations interpreting and developing indigenous environmental programs. Knowledge of the cultures and world-views of the Haudenosaunee Nations. Understanding of the ways in which native governments interact with other governments.

Broad knowledge of EPA's substantive operating programs mission, objectives and organization in order to understand and assess actual and potential indigenous environmental impacts of complex technical, regulatory and enforcement programs. Knowledge of programmatic interrelationships and operational characteristics affecting indigenous concerns and issues.

Expert knowledge of a broad range of statutes and regulations as well of lawmaking/rulemaking processes sufficient to provide authoritative interpretations and make recommendations significantly for changing regional/agency policies and programs as appropriate.

Knowledge of policies and procedures regarding grants, cooperative agreements, and interagency agreements.

Mastery of Alternative Dispute Resolution (ADR) techniques. Interpersonal and communications skills to effectively meet and deal with diverse groups who may have competing objectives or interests; oral communications skills to make formal presentations and briefings; and writing skills to prepare technical and programmatic proposals relating to the indigenous affairs.

Factor 2. Supervisory Controls

Level 2-4 (450 points)

Work is performed under general direction of the Deputy Director for Planning of the Division of Environmental Planning and Protection, who sets overall program objectives and resources available. The employee, as a recognized authority on indigenous environmental affairs, is responsible for independently developing, defining and shaping the Region's Indigenous Affairs Program. The employee keeps the supervisor informed of controversial matters. Analyses, evaluations, and policy recommendations made are reviewed by the Deputy Director for compatibility with other work, effectiveness in meeting objectives, and for broad policy and programmatic considerations.

Factor 3. Guidelines

Level 3-4 (450 Points)

Guidelines consist of broad statements concerning policy initiatives/objectives, executive orders, statutes, case law, treaties and history. The field of indigenous environmental affairs is evolving and growing, with profound implications for many of the Agency's key activities. Incumbent must apply broad insight and judgment to interpret and apply the vast array of regulatory, legal, scientific and socio-economic criteria and considerations in defining, developing and implementing a sound indigenous environmental program involving controversial and nationally important subjects to people with conflicting views.

Factor 4: Complexity

Level 4-5 (325 Points)

The assignments are highly complex and unusual duties involving interpretation of emerging issues in all of environmental media and development of regional initiatives, policies and procedures. The approach used and method employed are largely uncertain, and modification of established approaches and precedents and development of new policies and methods are required to complete. Work requires a high degree of expertise on indigenous issues, extensive analysis employing a broad range of fact-finding, analytical and communication techniques to interpret varied and complex situations in the context of the laws, regulations or policies and extensive coordination and integration of a number of important projects/programs. Work continually involves dealing with very complex, politically sensitive and unique matters, as Nations are sovereign nations. Each Nation is unique, and different from the others in history, language, size, location, population and economic development. Employee must be able to communicate with many different groups of people, often in remote areas under difficult circumstances and/or unusual controversy, to forge a consensus and relay that consensus to the agency.

Factor 5: Scope and Effect

Level 5-5 (325 Points)

The purpose of the work is to analyze, evaluate and develop comprehensive plans and recommendations for the implementation of a viable indigenous environmental program in Region 2, serve as liaison to traditional tribal groups/members, and provide expert advice to other regions based on our experience with HERS,. Work performed is of a sensitive and controversial nature. Findings and recommendations can have a substantial impact on many of the Region's operating programs. The work affects the development of major aspects of the agency's environmental protection programs and policies and enhances the Region's and Agency's ability to integrate current environmental requirements and program initiatives with indigenous environmental programs.

Factor 6: Personal Contacts

Contacts include program managers and other professional personnel both within the government at the local, regional, national and international levels, as well as officials, spokespersons and elected representatives of the Nations, other indigenous groups, various constituencies and special interest groups.

Factor 7: Purpose of Contacts

The purpose of these contacts is to present information and balanced analyses on complex issues to policy makers; to participate in conferences, meetings or presentations involving issues of great sensitivity of national or international consequences or impact; to identify emerging issues for clients; to build relationships with indigenous peoples and their viable partners; to provide an effective channel of communication and assist EPA to develop and maintain open dialogue with the Nations; to influence managers to accept different perspectives or approaches; to represent the agency in interacting with indigenous peoples and support indigenous peoples in developing a comprehensive environmental program for the Region. The employee is required to apply ADR techniques to resolve disputes and foster consensus-building.

Factors 6 & 7 -- Level 3c (180 points)

Factor 8: Physical Demands

Level 8-1 (5 points)

The work is primarily sedentary.

Factor 9: Work Environment

Level 9-1 (5 points)

The work is primarily in an office setting. Occasional travel to Headquarters, states, Indian reservations, and/or local offices is necessary.

Total Points – 3290

Position Description
Regional Indian Coordinator
GS-13

INTRODUCTION

This position is located in the Office of Strategic Programs reporting directly to the Director.

Eight (8) Federally-recognized Indian Nations currently exist within the boundaries of EPA Region 2. EPA formally recognizes the governments of the nations that are acknowledged by the Bureau of Indian Affairs.

The Regional Indian Coordinator (RIC) has overall responsibility for coordinating consultation with the 8 nations concerning EPA's environmental programs and providing the nations with the opportunity to be aware of and participate in EPA policy and program development. The RIC also serves as Region 2's principal point of contact with the Saint Regis Mohawk Tribe (SMRT), the Oneida Indian Nation, and the Shinnecock Nation of Indians. The RIC is part of a two member Indian Program Team that also includes and Indigenous Environmental Affairs Coordinator (IEAC) who has overall responsibility for the Region's Indian Program budget and serves as the Region's principal point of contact with the Cayuga Nation, Onondaga Nation, Seneca Nation of Indians, Tonawanda Band of Senecas, Tuscarora Nations and the Haudenosaunee Environmental Task Force. The two work together as a team, ensuring that EPA's actions in dealing with the federally-recognized nations and with the traditionals complement one another.

MAJOR DUTIES AND RESPONSIBILITIES

1. Development, Implementation, and Evaluation of a Comprehensive Indian Environmental Program (60%)

- Coordinates regional activities involving Indian Nations; represents Region 2 on various national Indian work groups (noted below); develops, plans, schedules, and conducts short and long range Indian environmental program activities; coordinates cross-media multi-media environmental activities that involve the participation of the Indian Nations, states, multiple EPA media programs, and other federal agencies; and integrates EPA's various programs into a multi-media program that meets the environmental needs of the Indian Nations.
- Conducts reviews of ongoing programs/initiatives and evaluates performance in relation to indigenous environmental program goals. Provides advice to program managers to increase understanding of indigenous environmental issues and of indigenous approaches to communications and problem solving, enhance ability to communicate with the Nations and facilitate access to decision making, programs, funding, technical assistance, and training . Attends meetings and conducts briefings to promote supervisory and

management understanding of their responsibilities regarding the Indian Nations and the EPA Indian Policy.

- Serves as Region 2's representative to the National Indian Work Group and as EPA representative on other intra and interagency policy implementation committees.
- Serves as Region 2's principal point of contact to the Oneida Indian Nation, SRMT and the Shinnecock Nation of Indians.
- Serves and Indian Program Team representative on Region 2 Climate Change Work Group. In this capacity, communicates Indian nation perspectives for appropriate consideration in Regional climate planning and actions.
- Assists in planning and delivery of the annual Region 2 Indian Leaders meetings, with particular emphasis on the needs of the Oneida, SRMT and Shinnecock Nations.
- Coordinates workgroups and advisory committees as necessary.
- Actively participates in Regional Indian Workgroup (RIWG) informing members of developments and needs in program areas referenced throughout this Position Description.

2. Consensus Building (25%)

- Utilizes Alternative Dispute Resolution (ADR) skills to facilitate a mutual understanding of differing perceptions of environmental problems and approaches, and facilitate resolution of disputes as they arise and foster concurrence through consensus-building.
- Communicates with a variety of constituents to identify traditional and non-traditional issues to ensure development of a comprehensive indigenous environmental program that upholds ecological, socio-economic, cultural and spiritual values, as well as community-based environmental management and environmental justice principles.
- Serves as Region 2 Tribal Consultation Advisor (TCA) ensuring that the Region provides appropriate opportunities for the Region and each of the Indian nations to consult on important environmental issues and policy developments. Coordinates consultation services and reporting with all Regional programs and all of the nations. Reports Region 2 activities to Headquarters consistent with program requirements.

3. Educational Programs (15%)

- Designs, develops and conducts outreach, training, and educational programs to enhance understanding of indigenous issues, respect for indigenous knowledge of approaches to communications and problem-solving.

- Works with the National Enforcement Training Institute (NETI) in the design, development, delivery, management and evaluation of a comprehensive environmental enforcement training curriculum for indigenous environmental programs.
4. Performs other duties as assigned.
- Provides timely and accurate information to the Director concerning Indian program developments, needs, and issues. Information may be presented in verbal or written form as appropriate (e.g., weekly highlights are in written form).
 - Serves as EPA project officer (PO) for various Indian program grants. Maintains up-to-date PO certification.
 - Follows EPA administrative and programmatic procedures. Communicates at the appropriate level within the Region 2 organizational structure and chain of command.
 - Follows appropriate Region 2 protocol for external communication.

POSITION FACTORS

Factor 1: Knowledge Required by the Position

Level 1-8 (1550 Points)

Expert knowledge of environmental protection principles as well as program development, assessment, and operational techniques sufficient to formulate, develop and implement a comprehensive regional indigenous environmental program and to apply new developments, modifying program as necessary.

Expert knowledge of indigenous affairs, environmental justice and the interface of civil rights and environmental protection law and policy (including regulation and enforcement), sufficient to translate policy issues into useable policy guidance and make recommendations interpreting and developing indigenous environmental programs. Knowledge of the cultures and world-views of the Haudenosaunee Nations. Understanding of the ways in which native governments interact with other governments.

Broad knowledge of EPA's substantive operating programs mission, objectives and organization in order to understand and assess actual and potential indigenous environmental impacts of complex technical, regulatory and enforcement programs. Knowledge of programmatic interrelationships and operational characteristics affecting indigenous concerns and issues.

Expert knowledge of a broad range of statutes and regulations as well of lawmaking/rulemaking processes sufficient to provide authoritative interpretations and make recommendations significantly for changing regional/agency policies and programs as appropriate.

Knowledge of policies and procedures regarding grants, cooperative agreements, and interagency agreements.

Mastery of Alternative Dispute Resolution (ADR) techniques. Interpersonal and communications skills to effectively meet and deal with diverse groups who may have competing objectives or interests; oral communications skills to make formal presentations and briefings; and writing skills to prepare technical and programmatic proposals relating to the indigenous affairs.

Factor 2: Supervisory Controls

Level 2-4 (450 points)

Work is performed under general direction of the Deputy Director for Planning of the Division of Environmental Planning and Protection, who sets overall program objectives and resources available. The employee, as a recognized authority on indigenous environmental affairs, is responsible for independently developing, defining and shaping the Region's Indigenous Affairs Program. The employee keeps the supervisor informed of controversial matters. Analyses, evaluations, and policy recommendations made are reviewed by the Deputy Director for compatibility with other work, effectiveness in meeting objectives, and for broad policy and programmatic considerations.

Factor 3: Guidelines

Level 3-4 (450 Points)

Guidelines consist of broad statements concerning policy initiatives/objectives, executive orders, statutes, case law, treaties and history. The field of indigenous environmental affairs is evolving and growing, with profound implications for many of the Agency's key activities. Incumbent must apply broad insight and judgment to interpret and apply the vast array of regulatory, legal, scientific and socio-economic criteria and considerations in defining, developing and implementing a sound indigenous environmental program involving controversial and nationally important subjects to people with conflicting views.

Factor 4: Complexity

Level 4-5 (325 Points)

The assignments are highly complex and unusual duties involving interpretation of emerging issues in all of environmental media and development of regional initiatives, policies and procedures. The approach used and method employed are largely uncertain, and modification of established approaches and precedents and development of new policies and methods are required to complete. Work requires a high degree of expertise on indigenous issues, extensive analysis employing a broad range of fact-finding, analytical and communication techniques to interpret varied and complex situations in the context of the laws, regulations or policies and extensive coordination and integration of a number of important projects/programs. Work continually involves dealing with very complex, politically sensitive and unique matters, as Nations are sovereign nations. Each Nation is unique, and different from the others in history, language, size, location, population and economic development. Employee must be able to communicate with many different groups of people, often in remote areas under difficult circumstances and/or unusual controversy, to forge a consensus and relay that consensus to the agency.

Factor 5: Scope and Effect

Level 5-5 (325 Points)

The purpose of the work is to analyze, evaluate and develop comprehensive plans and recommendations for the implementation of a viable indigenous environmental program in Region 2, provide expert advice to other regions based on our experience with HERS, and participate in the shaping of an indigenous program at the national level. Work performed is of a sensitive and controversial nature. Findings and recommendations can have a substantial impact on many of the Region's operating programs. The work affects the development of major aspects of the agency's environmental protection programs and policies and enhances the Region's and Agency's ability to integrate current environmental requirements and program initiatives with indigenous environmental programs.

Factor 6: Personal Contacts

Contacts include program managers and other professional personnel both within the government at the local, regional, national and international levels, as well as officials, spokespersons and elected representatives of the Nations, other indigenous groups, various constituencies and special interest groups.

Factor 7: Purpose of Contacts

The purpose of these contacts is to present information and balanced analyses on complex issues to policy makers; to participate in conferences, meetings or presentations involving issues of great sensitivity of national or international consequences or impact; to identify emerging issues for clients; to build relationships with indigenous peoples and their viable partners; to provide an effective channel of communication and assist EPA to develop and maintain open dialogue with the Nations; to influence managers to accept different perspectives or approaches; to represent the agency in interacting with indigenous peoples and support indigenous peoples in developing a comprehensive environmental program for the Region. The employee is required to apply ADR techniques to resolve disputes and foster consensus-building.

Factors 6 & 7 -- Level 3c (180 points)

Factor 8: Physical Demands

Level 8-1 (5 points)

The work is primarily sedentary.

Factor 9: Work Environment

Level 9-1 (5 points)

The work is primarily in an office setting. Occasional travel to Headquarters, states, Indian reservations, and/or local offices is necessary.

Total Points -- 3290

Indian Program PD#1
INTRODUCTION

This position is located in the Office of Strategic Programs reporting directly to the Director.

Federally-recognized Indian Nations currently exist within the boundaries of EPA Region 2. EPA formally recognizes the governments of these nations that are acknowledged by the Bureau of Indian Affairs. These governments are not necessarily traditional, and do not necessarily reflect traditional perspectives. EPA also responds to environmental issues raised by traditional members. These traditional members, who refer to themselves as the Haudenosaunee, have chosen to live under a traditional government as delineated under the Great Law of Peace of the Haudenosaunee.

The Tribal Consultation Advisor has overall responsibility for coordinating the full range of environmental programs carried out by the federally-recognized Indian Nations in the Region. The Region 2 Indigenous Environmental Affairs Specialist fosters effective interactions with the traditional members (Haudenosaunee) and in particular with the Haudenosaunee Environmental Task Force. The two work together as a team, ensuring that EPA's actions in dealing with the federally-recognized nations and with the traditionals complement one another.

MAJOR DUTIES AND RESPONSIBILITIES

1. Development, Implementation, and Evaluation of a Comprehensive Indigenous Environmental Program (60%)

- Serves as Regional Indian Coordinator. In this capacity coordinates regional activities involving Indian Nations;; represents Region 2 on various national Indian work groups; develops, plans, schedules, and conducts short and long range Indian environmental program activities; coordinates cross-media multi-media environmental activities that involve the participation of the Indian Nations, states, multiple EPA media programs, and other federal agencies; and integrates EPA's various programs into a multi-media program that meets the environmental needs of the Indian Nations. Provides authoritative advice to senior regional/national managers.
- Conducts reviews of ongoing programs/initiatives and evaluates performance in relation to indigenous environmental program goals. Provides advice to program managers to increase understanding of indigenous environmental issues and of indigenous approaches to communications and problem solving, enhance ability to communicate with the Nations and facilitate access to decision making, programs, funding, technical assistance, and training . Attends meetings and conducts briefings to promote supervisory and management understanding of their responsibilities. Recommends necessary program adjustments, where feasible and/or appropriate.

- Reviews existing and proposed local, regional, national and international laws, policies and guidance relevant to the development and implementation of a comprehensive indigenous environmental program and makes recommendations to senior management.
- Provides expert advice to other regions for the development of indigenous environmental programs modeled any exemplary or innovative Region 2 programs.
- Serves as the indigenous environmental program representative to the National Indian Work Group and as EPA representative on other intra and interagency policy implementation committees.
- Serves as Region 2's principal point of contact to the Oneida Indian Nation, Saint Regis Mohawk Tribe and the Oneida Indian Nation.
- Serves and Indian Program Team representative on Region 2 Climate Change Work Group. In this capacity, communicates Indian nation perspectives for appropriate consideration in Regional climate planning and actions.
- Coordinates workgroups and advisory committees as necessary.

2. Consensus Building (25%)

- Utilizes Alternative Dispute Resolution (ADR) skills to facilitate a mutual understanding of differing perceptions of environmental problems and approaches, and facilitate resolution of disputes as they arise and foster concurrence through consensus-building.
- Communicates with a variety of constituents to identify traditional and non-traditional issues to ensure development of a comprehensive indigenous environmental program that upholds ecological, socio-economic, cultural and spiritual values, as well as community-based environmental management and environmental justice principles.
- Serves as Region 2 representative on Nation Tribal Operations Committee (NTOC). Briefs the Regional Administrator (RA), Deputy RA and Office Director on NTOC business, developments and concerns. Communicates Region 2 developments and concerns to NTOC.
- Serves as Region 2 Tribal Consultation Advisor (TCA) ensuring that the Region provides appropriate opportunities for the Region and each of the Indian nations to consult on important environmental issues and policy developments. Coordinates consultation services and reporting with all Regional programs and all of the nations. Reports Region 2 activities to Headquarters consistent with program requirements.
- Assists in planning and delivery of the annual Region 2 Indian Leaders meetings.

3. Educational Programs (15%)

- Designs, develops and conducts outreach, training, and educational programs to enhance understanding of indigenous issues, respect for indigenous knowledge of approaches to communications and problem-solving.
- Works with the National Enforcement Training Institute (NETI) in the design, development, delivery, management and evaluation of a comprehensive environmental enforcement training curriculum for indigenous environmental programs.

4. Performs other duties as assigned.

- Provides timely and accurate information to the Director concerning Indian program developments, needs, and issues. Information may be presented in verbal or written form as appropriate (e.g., weekly highlights are in written form).
- Serves as EPA project officer (PO) for various Indian program grants. Maintains up-to-date PO certification.
- Follows EPA administrative and programmatic procedures. Communicates at the appropriate level within the Region 2 organizational structure and chain of command.
- Follows appropriate Region 2 protocol for external communications.

- POSITION FACTORS

Factor 1: Knowledge Required by the Position: Level 1-8 (1550 Points)

Expert knowledge of environmental protection principles as well as program development, assessment, and operational techniques sufficient to formulate, develop and implement a comprehensive regional indigenous environmental program and to apply new developments, modifying program as necessary.

Expert knowledge of indigenous affairs, environmental justice and the interface of civil rights and environmental protection law and policy (including regulation and enforcement), sufficient to translate policy issues into useable policy guidance and make recommendations interpreting and developing indigenous environmental programs. Knowledge of the cultures and world-views of the Haudenosaunee Nations. Understanding of the ways in which native governments interact with other governments.

Broad knowledge of EPA's substantive operating programs mission, objectives and organization in order to understand and assess actual and potential indigenous environmental impacts of complex technical, regulatory and enforcement programs. Knowledge of programmatic interrelationships and operational characteristics affecting indigenous concerns and issues.

Expert knowledge of a broad range of statutes and regulations as well of lawmaking/rulemaking processes sufficient to provide authoritative interpretations and make recommendations significantly for changing regional/agency policies and programs as appropriate.

Knowledge of policies and procedures regarding grants, cooperative agreements, and interagency agreements.

Mastery of Alternative Dispute Resolution (ADR) techniques. Interpersonal and communications skills to effectively meet and deal with diverse groups who may have competing objectives or interests; oral communications skills to make formal presentations and briefings; and writing skills to prepare technical and programmatic proposals relating to the indigenous affairs.

Factor 2. Supervisory Controls Level 2-4 (450 points)

Work is performed under general direction of the Deputy Director for Planning of the Division of Environmental Planning and Protection, who sets overall program objectives and resources available. The employee, as a recognized authority on indigenous environmental affairs, is responsible for independently developing, defining and shaping the Region's Indigenous Affairs Program. The employee keeps the supervisor informed of controversial matters. Analyses, evaluations, and policy recommendations made are reviewed by the Deputy Director for compatibility with other work, effectiveness in meeting objectives, and for broad policy and programmatic considerations.

Factor 3. Guidelines Level 3-4 (450 Points)

Guidelines consist of broad statements concerning policy initiatives/objectives, executive orders, statutes, case law, treaties and history. The field of indigenous environmental affairs is evolving and growing, with profound implications for many of the Agency's key activities. Incumbent must apply broad insight and judgment to interpret and apply the vast array of regulatory, legal, scientific and socio-economic criteria and considerations in defining, developing and implementing a sound indigenous environmental program involving controversial and nationally important subjects to people with conflicting views.

Factor 4. Complexity Level 4-5 (325 Points)

The assignments are highly complex and unusual duties involving interpretation of emerging issues in all of environmental media and development of regional initiatives, policies and procedures. The approach used and method employed are largely uncertain, and modification of established approaches and precedents and development of new policies and methods are required to complete. Work requires a high degree of expertise on indigenous issues, extensive analysis employing a broad range of fact-finding, analytical and communication techniques to interpret varied and complex situations in the context of the laws, regulations or policies and extensive coordination and integration of a number of important projects/programs. Work continually involves dealing with very complex, politically sensitive and unique matters, as Nations are sovereign nations. Each Nation is unique, and different from the others in history, language, size, location, population and economic development. Employee must be able to communicate with many different groups of people, often in remote areas under difficult circumstances and/or unusual controversy, to forge a consensus and relay that consensus to the agency.

Factor 5. Scope and Effect Level 5-5 (325 Points)

The purpose of the work is to analyze, evaluate and develop comprehensive plans and recommendations for the implementation of a viable indigenous environmental program in Region 2, provide expert advice to other regions based on our experience with HERS, and participate in the shaping of an indigenous program at the national level. Work performed is of a sensitive and controversial nature. Findings and recommendations can have a substantial impact on many of the Region's operating programs. The work affects the development of major aspects of the agency's environmental protection programs and policies and enhances the Region's and Agency's ability to integrate current environmental requirements and program initiatives with indigenous environmental programs.

Factor 6. Personal Contacts

Contacts include program managers and other professional personnel both within the government at the local, regional, national and international levels, as well as officials, spokespersons and elected representatives of the Nations, other indigenous groups, various constituencies and special interest groups.

Factor 7. Purpose of Contacts

The purpose of these contacts is to present information and balanced analyses on complex issues to policy makers; to participate in conferences, meetings or presentations involving issues of great sensitivity of national or international consequences or impact; to identify emerging issues for clients; to build relationships with indigenous peoples and their viable partners; to provide an effective channel of communication and assist EPA to develop and maintain open dialogue with the Nations; to influence managers to accept different perspectives or approaches; to represent the agency in interacting with indigenous peoples and support indigenous peoples in developing a comprehensive environmental program for the Region. The employee is required to apply ADR techniques to resolve disputes and foster consensus-building.

Factors 6 & 7 -- Level 3c (180 points)

Factor 8. Physical Demands Level 8-1 (5 points)

The work is primarily sedentary.

Factor 9. Work Environment Level 9-1 (5 points)

The work is primarily in an office setting. Occasional travel to Headquarters, states, Indian reservations, and/or local offices is necessary.

Total Points -- 3290

Indian Program PD #2
INTRODUCTION

This position is located in the Office of Strategic Programs reporting directly to the Director.

Federally-recognized Indian Nations currently exist within the boundaries of EPA Region 2. EPA formally recognizes the governments of these nations that are acknowledged by the Bureau of Indian Affairs. These governments are not necessarily traditional, and do not necessarily reflect traditional perspectives. EPA also responds to environmental issues raised by traditional members. These traditional members, who refer to themselves as the Haudenosaunee, have chosen to live under a traditional government as delineated under the Great Law of Peace of the Haudenosaunee.

The Tribal Consultation Advisor has overall responsibility for coordinating the full range of environmental programs carried out by the federally-recognized Indian Nations in the Region. The Region 2 Indigenous Environmental Affairs Specialist fosters effective interactions with the traditional members (Haudenosaunee) and in particular with the Haudenosaunee Environmental Task Force. The two work together as a team, ensuring that EPA's actions in dealing with the federally-recognized nations and with the traditionals complement one another.

MAJOR DUTIES AND RESPONSIBILITIES

1. Development, Implementation, and Evaluation of a Comprehensive Indigenous Environmental Program (60%)

- Provides expert advice and support to Indian Nations to ensure sound management of ecosystems and implementation of the Haudenosaunee Environmental Restoration Strategy (HERS) as appropriate.
- Collaborates in developing regional guidance and policies and participates in the development of national guidance and policy concerning indigenous environmental programs that address the concerns of traditional tribal members. Collaborates in planning, analyzing and developing policy proposals for implementation of multi-media indigenous environmental programs.
- Participates with management and Tribal Consultant Advisor in the development, implementation and evaluation of short-term and long-term plans to ensure that indigenous environmental issues are integrated and fully coordinated with the goals and objectives of the Region's programs.
- Conducts reviews of ongoing programs/initiatives and evaluates performance in relation to indigenous environmental program goals. Provides advice to program managers to increase understanding of indigenous environmental issues and of indigenous approaches to communications and problem solving, enhance ability to communicate with the Nations and facilitate access to decision making, programs, funding, technical assistance, and training. Attends meetings and conducts briefings to promote supervisory and

management understanding of their responsibilities. Recommends necessary program adjustments, where feasible and/or appropriate.

- Serves as Region 2 EJ representative on national EPA Tribal and Indigenous Peoples Work Group.
- Reviews existing and proposed local, regional, national and international laws, policies and guidance relevant to the development and implementation of a comprehensive indigenous environmental program and makes recommendations to senior management.
- Negotiates environmental agreements between EPA Region 2 and the Haudenosaunee Environmental Task Force to ensure resources at all levels are deployed efficiently and effectively to meet environmental goals and objectives. Coordinates related activities with Region 2 offices both within and external OSP.
- Working with the Tribal Consultation Advisor conducts analyses to consolidate issuance and administration of grants to allow for flexibility in funding indigenous program development and operation. Identifies funding needs, assesses resource needs, recommends reallocation and participates in budget and long-range strategic planning development and recommendation approval process.
- Manages all budgeting and financial aspects Region 2 Indian Program, including grant and contract resources. As part of this responsibility, is identified by Headquarters as General Assistance Program (GAP) “power user” for purposes of managing all Region 2 GAP funds.
- Manages Indian Program Water Senior Environmental Employee position, providing for direct technical assistance to all Region 2 Indian nations on Safe Drinking Water Act matters.
- Chairs Region 2 Indian Work Group (RIWG). RIWG includes representatives from all major Regional programs and assures that Region provides a comprehensive and coordinated response to all Indian program matters.
- Plans and coordinates delivery of Region 2’s Annual Indian Nations Leaders Meeting. The meeting is a key focal point for the Region and the Region’s 8 Indian Nations to address the technical and policy aspects of key environmental issues. In this capacity works closely with RA, DRA, Division Directors, Region 2 program managers, Indian nation leaders and technical staff.
- Manages Region 2 aspects of the Tribal Program Management System (TPMS), an EPA-wide strategic planning tool.
- Serves as Region’s principal point of contact to the Cayuga Nation, Onondaga Nation, Seneca Nation of Indians, Tonawanda Band of Senecas, Tuscarora Nations and the Haudenosaunee Environmental Task Force.

2. Consensus Building (25%)

- Utilizes Alternative Dispute Resolution (ADR) skills to facilitate a mutual understanding of differing perceptions of environmental problems and approaches, and facilitate resolution of disputes as they arise and foster concurrence through consensus-building.
- Communicates with a variety of constituents to identify traditional and non-traditional issues to ensure development of a comprehensive indigenous environmental program that upholds ecological, socio-economic, cultural and spiritual values, as well as community-based environmental management and environmental justice principles.

3. Educational Programs (15%)

- Designs, develops and conducts outreach, training, and educational programs to enhance understanding of indigenous issues, respect for indigenous knowledge of approaches to communications and problem-solving.
- Works with the National Enforcement Training Institute (NETI) in the design, development, delivery, management and evaluation of a comprehensive environmental enforcement training curriculum for indigenous environmental programs.

4. Performs other duties as assigned.

- Provides timely and accurate information to the Director concerning Indian program developments, needs, and issues. Information may be presented in verbal or written form as appropriate (e.g., weekly highlights are in written form).
- Serves as EPA project officer (PO) for various Indian program grants. Maintains up-to-date PO certification.
- Follows EPA administrative and programmatic procedures. Communicates at the appropriate level within the Region 2 organizational structure and chain of command. Follows appropriate Region 2 protocol for external communications.

- POSITION FACTORS

Factor 1: Knowledge Required by the Position: Level 1-8 (1550 Points)

Expert knowledge of environmental protection principles as well as program development, assessment, and operational techniques sufficient to formulate, develop and implement a comprehensive regional indigenous environmental program and to apply new developments, modifying program as necessary.

Expert knowledge of indigenous affairs, environmental justice and the interface of civil rights and environmental protection law and policy (including regulation and enforcement), sufficient to translate policy issues into useable policy guidance and make recommendations interpreting and developing indigenous environmental programs. Knowledge of the cultures and world-views of the Haudenosaunee Nations. Understanding of the ways in which native governments interact with other governments.

Broad knowledge of EPA's substantive operating programs mission, objectives and organization in order to understand and assess actual and potential indigenous environmental impacts of complex technical, regulatory and enforcement programs. Knowledge of programmatic interrelationships and operational characteristics affecting indigenous concerns and issues.

Expert knowledge of a broad range of statutes and regulations as well of lawmaking/rulemaking processes sufficient to provide authoritative interpretations and make recommendations significantly for changing regional/agency policies and programs as appropriate.

Knowledge of policies and procedures regarding grants, cooperative agreements, and interagency agreements.

Mastery of Alternative Dispute Resolution (ADR) techniques. Interpersonal and communications skills to effectively meet and deal with diverse groups who may have competing objectives or interests; oral communications skills to make formal presentations and briefings; and writing skills to prepare technical and programmatic proposals relating to the indigenous affairs.

Factor 2. Supervisory Controls Level 2-4 (450 points)

Work is performed under general direction of the Deputy Director for Planning of the Division of Environmental Planning and Protection, who sets overall program objectives and resources available. The employee, as a recognized authority on indigenous environmental affairs, is responsible for independently developing, defining and shaping the Region's Indigenous Affairs Program. The employee keeps the supervisor informed of controversial matters. Analyses, evaluations, and policy recommendations made are reviewed by the Deputy Director for compatibility with other work, effectiveness in meeting objectives, and for broad policy and programmatic considerations.

Factor 3. Guidelines Level 3-4 (450 Points)

Guidelines consist of broad statements concerning policy initiatives/objectives, executive orders, statutes, case law, treaties and history. The field of indigenous environmental affairs is evolving and growing, with profound implications for many of the Agency's key activities. Incumbent must apply broad insight and judgment to interpret and apply the vast array of regulatory, legal, scientific and socio-economic criteria and considerations in defining, developing and implementing a sound indigenous environmental program involving controversial and nationally important subjects to people with conflicting views.

Factor 4. Complexity Level 4-5 (325 Points)

The assignments are highly complex and unusual duties involving interpretation of emerging issues in all of environmental media and development of regional initiatives, policies and procedures. The approach used and method employed are largely uncertain, and modification of established approaches and precedents and development of new policies and methods are required to complete. Work requires a high degree of expertise on indigenous issues, extensive analysis employing a broad range of fact-finding, analytical and communication techniques to interpret varied and complex situations in the context of the laws, regulations or policies and extensive coordination and integration of a number of important projects/programs. Work continually involves dealing with very complex, politically sensitive and unique matters, as Nations are sovereign nations. Each Nation is unique, and different from the others in history, language, size, location, population and economic development. Employee must be able to communicate with many different groups of people, often in remote areas under difficult circumstances and/or unusual controversy, to forge a consensus and relay that consensus to the agency.

Factor 5. Scope and Effect Level 5-5 (325 Points)

The purpose of the work is to analyze, evaluate and develop comprehensive plans and recommendations for the implementation of a viable indigenous environmental program in Region 2, serve as liaison to traditional tribal groups/members, and provide expert advice to other regions based on our experience with HERS,. Work performed is of a sensitive and controversial nature. Findings and recommendations can have a substantial impact on many of the Region's operating programs. The work affects the development of major aspects of the agency's environmental protection programs and policies and enhances the Region's and Agency's ability to integrate current environmental requirements and program initiatives with indigenous environmental programs.

Factor 6. Personal Contacts

Contacts include program managers and other professional personnel both within the government at the local, regional, national and international levels, as well as officials, spokespersons and elected representatives of the Nations, other indigenous groups, various constituencies and special interest groups.

Factor 7. Purpose of Contacts

The purpose of these contacts is to present information and balanced analyses on complex issues to policy makers; to participate in conferences, meetings or presentations involving issues of great sensitivity of national or international consequences or impact; to identify emerging issues for clients; to build relationships with indigenous peoples and their viable partners; to provide an effective channel of communication and assist EPA to develop and maintain open dialogue with the Nations; to influence managers to accept different perspectives or approaches; to represent the agency in interacting with indigenous peoples and support indigenous peoples in developing a comprehensive environmental program for the Region. The employee is required to apply ADR techniques to resolve disputes and foster consensus-building.

Factors 6 & 7 -- Level 3c (180 points)

Factor 8. Physical Demands Level 8-1 (5 points)

The work is primarily sedentary.

Factor 9. Work Environment Level 9-1 (5 points)

The work is primarily in an office setting. Occasional travel to Headquarters, states, Indian reservations, and/or local offices is necessary.

Total Points -- 3290